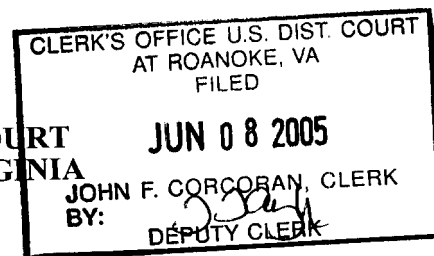


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



VICTOR JORDAIN-ORTIZ, #08651-084,))
Petitioner,))

Civil Action No. 7:05-cv-00343
Crim. No. 5:01-cr-30066-002

v.))

UNITED STATES OF AMERICA,))
Respondent.))

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petitioner's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. §2255, shall be and hereby is **FILED and DISMISSED**, pursuant to Rule 4 of the Rules Governing §2255 Proceedings,¹ and this action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 7th day of June, 2005.

[Signature]
Senior United States District Judge

¹Under Rule 4, the court may summarily dismiss a §2255 petition when it is clear from the face of the petition and the record that petitioner is not entitled to relief.